

**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number
210177.401C3

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

Signature _____

Typed or printed
name _____

In re Application of

Darwin J. Prockop et al.

Application Number

10/787,506

Filed

February 26, 2004

For

ISOLATED STROMAL CELLS AND METHODS OF USING THE
SAME

Art Unit
1633

Examiner
Fereydoun Ghotb Sajjadi, Ph.D.

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 255

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 19-1090. I have enclosed a duplicate copy of this sheet.

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

applicant/inventor. /Carol D. Laherty/

assignee of record of the entire interest. See 37 CFR 3.71. Signature

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96.)

attorney or agent of record. Registration No. Carol D. Laherty, Ph.D.

attorney or agent acting under 37 CFR 1.34. Typed or Printed Name

Registration number if acting under 37 CFR 1.34 51,909.

(206) 622-4900

Telephone Number

August 4, 2008

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of forms are submitted.

SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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